1.05 TITLE VI – NONDISCRIMINATION and ADA SECTION 504

ORIGINATING DEPARTMENT: Human Resources	

PURPOSE:

The City of Palmetto Board of Commissioners value diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level.

POLICY:

The City of Palmetto believes that the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the transportation decision making process. Thus, City of Palmetto does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the City will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

PROCEDURE:

Complaints:

The City has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of the City's programs, services or activities may file a complaint with the City Title VI Nondiscrimination Officer:

Paula E. Hall, *PHR*
Nondiscrimination Officer
516 8th Avenue West
Palmetto, Florida 34221
phall@palmettofl.org
Phone: (941) 723-4570
Fax: (941) 721-2055

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI/Nondiscrimination Officer for assistance.

The Title VI/Nondiscrimination Officer will respond to the complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter.

Should the City be unable to satisfactorily resolve a complaint, the City will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation (FDOT).

The City's Title VI Officer has "easy access" to the City's Mayor and is not required to obtain management or other approval to discuss discrimination issues with the Mayor. However, should the complainant be unable or unwilling to complain to the City, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, FL 32399

ADA/504 Statement:

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services and activities.

The City will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The City will make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by the disabled community and disability service groups. Please reference either "Title VI Policy Documents" under "Employment" or "City Departments", "Human Resources" at www.palmettofl.org for the associated grievance procedure.

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that requests be made at least ten (10) calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the City's ADA Officer:

Paula E. Hall, *PHR*
ADA Officer
516 8th Avenue West
Palmetto, Florida 34221
phall@palmettofl.org
Phone: (941) 723-4570
Fax: (941) 721-2055
Florida Relay Dial 711

Limited English Proficiency (LEP) Guidance:

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the City's programs, services or activities.
- The frequency with which LEP individuals come in contact with these programs, services or activities.
- The nature and importance of the program, service, or activity to people's lives and;
- The resources available to the City and the likely costs of the LEP services.

1. Using census data, the City has determined that LEP individuals speaking English less than well represent approximately 7.6% of the community. Spanish was reported to be the prevalent LEP language.

2. The City has not received any requests for translation or interpretation of its programs, services or activities into Spanish, or any other language. However, the City remains proactive and often times translates certain documents into Spanish.

3. The City believes that transportation is of critical importance to its public, as access to health care, emergency services, employment, and other essentials would be difficult or impossible without reliable transportation systems. Additionally, the City will advise the public of how to access its nondiscrimination and public involvement policies.

4. The City is fortunate to house within its jurisdiction a number of institutions of higher education which has extensive language services. Further, the City maintains cordial relationships with a number of faith based and community organizations who offer competent language services at no cost to the City.

The analyses of these factors suggest that LEP services are not required at this time. However, the City will annually examine its LEP plan to ensure that it remains reflective of the community's needs.

Persons requiring special language services should contact the City's Title VI/ Nondiscrimination Officer.

By approving this Title VI and ADA/Section 504 Non-Discrimination Policy, I express the City's commitment to the non-discrimination provisions of Title VI.

James R. Freeman, City Clerk

10/14/16
Date

SCHEDULED REVIEW DATE:	AMENDED:
Annually	